
By: **Chairman, Health and Government Operations Committee (By Request
- Departmental - Insurance Administration, Maryland)**

Introduced and read first time: February 4, 2004

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance - Mandated Benefits - Exclusions for Preexisting**
3 **Conditions**

4 FOR the purpose of allowing an insurer to exclude coverage for a mandated health
5 insurance benefit under Title 15, Subtitle 8 of the Insurance Article if the
6 benefit relates to a condition revealed during medical underwriting and the
7 benefit related to the condition is excluded by a waiver rider signed by the
8 insured and attached to the plan, contract, or policy; and generally relating to
9 health insurance plans, contracts, and policies.

10 BY adding to
11 Article - Insurance
12 Section 15-841
13 Annotated Code of Maryland
14 (2002 Replacement Volume and 2003 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Insurance**

18 15-841.

19 (A) THIS SECTION APPLIES TO AN INDIVIDUAL HEALTH BENEFIT PLAN,
20 CONTRACT, OR POLICY ISSUED OR DELIVERED IN THIS STATE THAT COVERS
21 INDIVIDUALS AND THEIR DEPENDENTS.

22 (B) AN INSURER MAY EXCLUDE COVERAGE FOR A MANDATED HEALTH
23 BENEFIT UNDER THIS SUBTITLE IF:

24 (1) THE BENEFIT RELATES TO A CONDITION REVEALED DURING
25 MEDICAL UNDERWRITING; AND

26 (2) THE BENEFIT RELATED TO THE CONDITION IS EXCLUDED BY A
27 WAIVER RIDER THAT IS SIGNED BY THE INSURED AND ATTACHED TO THE CONTRACT.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
2 effect October 1, 2004.